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International Application Number:	
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Title of Invention:	Method for controlling network devices via a MMI
First Named Inventor/Applicant Name:	Arnd Krusche
Customer Number:	22850
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Attorney Docket Number:	282845US8X
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Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
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	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Notice of Appeal Filed		1	1	
	Extension of Time		2	2	
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Warnings:					
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2	Fee Worksheet (PTO-06)	fee-info.pdf	8310 c1054be3bd1f9371fc2c7f2fcd7f680bb c3b365	no	2
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Total Files Size (in bytes):			496769		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

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Docket No. 282845US8X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Arnd KRUSCHE, et al.

GAU: 2127

SERIAL NO: 09/901,275

EXAMINER: ZHOU, TING

FILED: July 9, 2001

FOR: METHOD FOR CONTROLLING NETWORK DEVICES VIA A MMI

NOTICE OF APPEAL

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated October 18, 2007.

The items checked below are appropriate:

☐ A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for _____ months.

☒ A response to the final rejection is being filed herewith.

☒ A Petition for Extension of Time for filing the Notice of Appeal is attached.

☐ A Pre-Appeal Brief Request for Review is attached.

Fee: Notice of Appeal \$510.00 + Petition for Extension of Time (3 mo.) \$1050.00 = \$1560.00

☐ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check is enclosed

☒ Online credit card payment is being made

☐ Charge to Deposit Account No. 15-0030

☒ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030.

☒ If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
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Docket No. 282845US8X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Arnd KRUSCHE, et al.

SERIAL NO: 09/901,275

GAU: 2173

FILED: July 9, 2001

EXAMINER: ZHOU, TING

FOR: METHOD FOR CONTROLLING NETWORK DEVICES VIA A MMI

**REQUEST FOR EXTENSION OF TIME
UNDER 37 C.F.R. 1.136**

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

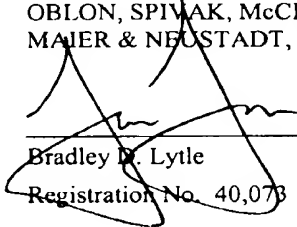
It is hereby requested that a **three** month extension of time be granted to April 18, 2008 for

- ☐ filing a response to the Official Action dated:
- ☐ responding to the requirements in the Notice of Allowability dated:
- ☐ filing the Formal Drawings. The Issue Fee due has been timely filed.
- ☐ responding to the Notice to File Missing Parts of Application dated:
- ☒ filing a Notice of Appeal. A response to the final rejection is being filed herewith.
- ☐ filing an Appeal Brief. A Notice of Appeal was filed on:
- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown below is reduced by one-half.

The required fee of \$1,050.00 is being made by credit card payment and any further charges may be made against the Attorney of Record's Deposit Account No. 15-0030.

Respectfully Submitted,

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DOCKET NO: 282845US8X

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
ARND KRUSCHE, ET AL. : EXAMINER: ZHOU, TING
SERIAL NO: 09/901,275 :
FILED: JULY 9, 2001 : GROUP ART UNIT: 2173
FOR: METHOD FOR CONTROLLING :
NETWORK DEVICES VIA A MMI

AMENDMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated October 18, 2008, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

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IN THE CLAIMS

Please amend the claims as follows:

Claims 1-47 (Canceled).

Claim 48 (Currently Amended): A method for controlling network devices via a home network, the network devices being connected to said home network via different protocol standards, comprising:

generating icons of the network devices having a plurality of functions regarding a reproducing and/or recording of an audio/video signal, icons of all services corresponding to the devices, and menus including the functions which are operable with the associated network device or service;

at least partially displaying the generated icons with a hierarchical structure so as to show a relationship of network connections of the network devices in the home network;

receiving a selection of a network device or a server by a user selecting one of the displayed icons;

selectively displaying the menu of a selected network device or service, the menu including the functions which are operable with the selected network device or service;

receiving a selection of a function in the selectively displayed menu; and

controlling the network device or service to execute the selected function based on a respective one of the protocol standards,

wherein the execution of the selected function results in a data stream of an audio/video signal stored in a providing network device being sent from the providing network device to the selected network device or to a device capable of receiving said data stream via the home network.

Claim 49 (Previously Presented): The method according to claim 48, wherein said network devices include all compatible devices that are connected to the home network.

Claim 50 (Previously Presented): The method according to claim 48, wherein said home network, further includes one or more sub-networks integrated into said home network via a bridge.

Claim 51 (Previously Presented): The method according to claim 48, wherein at least partially displaying the icons with a hierarchical structure further includes organizing the icons according to the kind of sub-networks connected to said network.

Claim 52 (Previously Presented): The method according to claim 48, wherein the selected function in the displayed menu is a "send to" function.

Claim 53 (Previously Presented): The method according to claim 48, further comprising selecting a providing network device.

Claim 54 (Previously Presented): The method according to claim 53, further comprising selecting an audio/video signal stored on the selected providing network device.

Claim 55 (Currently Amended): A controller including a man-machine interface for controlling network devices via a home network, the network devices being connected to said home network via different protocol standards, comprising:

means for generating icons of the network devices having a plurality of functions regarding a reproducing and/or recording of an audio/video signal, icons of all services

corresponding to the devices, and menus including the functions which are operable with the associated network device;

means for at least partially displaying the generated icons with a hierarchical structure so as to show a relationship of network connections of the network devices in the home network;

means for receiving a selection of a network device or service by a user selecting one of the displayed icons;

means for selectively displaying the menu of a selected network device or service, the menu including the functions which are operable with the selected network device or service;

means for receiving a selection of a function in the selectively displayed menu; and

means for controlling the network device or service to execute the selected function based on a respective one of the protocol standards,

wherein the execution of the selected function results in a data stream of an audio/video signal stored in a providing network device being sent from the providing network device to the selected network device or to a device capable of receiving said data stream via the home network.

Claim 56 (Previously Presented): The controller according to claim 55, wherein said network devices include all compatible devices that are connected to the home network.

Claim 57 (Previously Presented): The controller according to claim 55, wherein said home network, further includes one or more sub-networks integrated into said home network via a bridge.

Claim 58 (Previously Presented): The controller according to claim 55, wherein means for at least partially displaying the icons with a hierarchical structure further includes means for organizing the icons according to the kind of sub-networks connected to said network.

Claim 59 (Previously Presented): The controller according to claim 55, wherein the selected function in the displayed menu is a "send to" function.

Claim 60 (Previously Presented): The controller according to claim 55, further comprising means for selecting a providing network device.

Claim 61 (Previously Presented): The controller according to claim 60, further comprising means for selecting an audio/video signal stored on the selected providing network device.

Claim 62 (Currently Amended): A computer readable medium having computer readable program code stored thereon for causing a computer to provide a man-machine interface for controlling network devices via a home network, the network devices being connected to said home network via different protocol standards, the computer readable medium comprising executable instructions that cause a computer to:

generate icons of the network devices having a plurality of functions regarding a reproducing and/or recording of an audio/video signal, icons of all services corresponding to the devices, and menus including the functions which are operable with the associated network device or service;

at least partially display the generated icons with a hierarchical structure so as to show a relationship of network connections of the network devices in the home network;

receive a selection of a network device or service by a user selecting one of the displayed icons;

selectively display the menu of a selected network device or service, the menu including the functions which are operable with the selected network device or service;

receive a selection of a function in the selectively displayed menu; and

control the network device or service to execute the selected function based on a respective one of the protocol standards,

wherein the execution of the selected function results in a data stream of an audio/video signal stored in a providing network device being sent from the providing network device to the selected network device or to a device capable of receiving said data stream via the home network.

Claim 63 (Currently Amended): A method for controlling network devices via a home network, the network devices being connected to said home network via different protocol standards, comprising:

generating icons of the network devices having a plurality of functions regarding a reproducing and/or recording of an audio/video signal or to a device capable of receiving said data stream and menus including the functions which are operable with/by the associated network device/service;

at least partially displaying the generated icons with a hierarchical structure so as to show a relationship of network connections of the network devices in the home network;

receiving a selection of a network device or service by a user selecting one of the displayed icons;

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selectively displaying the menu of a selected network device or service, the menu including the functions which are operable with/by the selected network device/service;
receiving a selection of a function in the selectively displayed menu; and
controlling the network device to execute the selected function based on the respective protocol standard.

Claim 64 (Previously Presented): The method according to claim 63, wherein said network devices include all compatible devices that are connected to the home network.

Claim 65 (Previously Presented): The method according to claim 63, wherein said home network, further includes one or more sub-networks integrated into said home network via a bridge.

Claim 66 (Previously Presented): The method according to claim 63, wherein at least partially displaying the icons with a hierarchical structure further includes organizing the icons according to the kind of sub-networks connected to said network.

Claim 67 (Previously Presented): The method according to claim 63, wherein the selected function in the displayed menu is a "send to" function.

Claim 68 (Previously Presented): The method according to claim 63, further comprising selecting a providing network device.

Claim 69 (Previously Presented): The method according to claim 68, further comprising selecting an audio/video signal stored on the selected providing network device.

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 48-69 are pending in this application. Claims 48, 55, 62 and 63 were amended by the present response without introducing new matter. Support for additions to the claims can be found in the disclosure as originally filed, for example on page 6, first paragraph and Figure 1. Thus, no new matter is added.

In the outstanding Office Action, Claims 48-69 were rejected under 35 U.S.C. §103(a) as unpatentable over Microsoft Windows (1998, herein, "Windows") in view of Wendorf et al. (U.S. Pat. No. 7,257,821, herein "Wendorf").

Addressing now the rejection of Claims 48-69 under 35 U.S.C. §103(a) as unpatentable over Windows and Wendorf, that rejection is respectfully traversed.

Initially, with respect to the §103(a) rejection including the Wendorf reference, Applicants respectfully traverse this rejection. Specifically, Applicants note that the present application claims priority to European Application EPO 00114792.5 filed July 10, 2000 which was filed in the English language. In contrast, the filing date of the Wendorf reference is April 4, 2001. Thus, Applicants note that under no provision of 35 U.S.C. §102 or §103 is the Wendorf reference available to be used to reject the present application. Accordingly, Applicants respectfully request that the §103(a) rejection in the outstanding Office Action citing Wendorf, be withdrawn.

Addressing now the application of the Windows reference in the outstanding Action, Applicants respectfully traverse the position that the Windows references describes or suggests features of the claimed invention.

Claim 48 recites, in part,

generating icons of the network devices having a plurality of functions regarding a reproducing and/or recording

of an audio/video signal, icons of all services corresponding to the devices, and menus including the functions which are operable with the associated network device or service;

at least partially displaying the generated icons with a hierarchical structure so as to show a relationship of network connections of the network devices in the home network;

receiving a selection of a network device or a server by a user selecting one of the displayed icons;

selectively displaying the menu of a selected network device or service, the menu including the functions which are operable with the selected network device or service;

receiving a selection of a function in the selectively displayed menu; and

controlling the network device or service to execute the selected function based on a respective one of the protocol standards,

wherein the execution of the selected function results in a data stream of an audio/video signal stored in a providing network device being sent from the providing network device to the selected network device or to a device capable of receiving said data stream via the home network.

The Windows reference shows screenshots of the Windows operating system and the explorer program included in the Windows OS.

The outstanding Action cites Windows as describing the all of the features of the claimed invention except for certain acknowledged deficiencies discussed on page 3 of the outstanding Action. Applicants respectfully traverse this assertion and submit that Windows does not describe or suggest these features of the claimed invention.

In a non-limiting example, Fig. 1 of the present disclosure illustrates a context sensitive menu 46 that can be called for different items (icons or folders) within a hierarchical structure. This context sensitive menu is asserted by the outstanding Action as corresponding to the right click popup menu of Windows Explorer. However, such a menu is not part of the hierarchical structure but merely an additional information or interface on another layer or level of operation of the system.

From the cited screenshots of Windows, it can be seen that devices and even network devices might be displayed in hierarchical structures. However, in Windows, only the devices

themselves are displayed, whereas in the claimed invention the services corresponding to the devices are also displayed in a hierarchical structure.

At first, when an optical data carrier such as a CD is inserted into an appropriate drive in the computer, Windows displays the drive as a device in a hierarchical structure. However, if the CD contains one sector with an audio CD format containing audio files and another sector containing CDR data such as a movie file or several jpg files, Windows explorer displays the drive as a device and the content of this CD as subfiles, so that movie file, jpg files and audio tracks are displayed as they have been written to the CD. No hierarchy taking into account the different services corresponding to the device, i.e. the CD drive, are displayed in a hierarchical structure.

In contrast, in the claimed invention the CD drive is displayed as a network device in the network. In addition, instead of displaying the actual data content of the optical data carrier, icons are generated for all the services corresponding to the CD. For instance, there are displayed icons for *playing* audio files, for example .wav files, at least one icon for *viewing* pictures and at least one icon for *viewing* video files, such as a mpg video file.

Thus, it is not the actual data files stored on the CD that are relevant for the hierarchical display, but the different services that are provided by the CD player, i.e. playback or viewing. Such display of services is not found in the cited screenshots of Windows Explorer, especially considering that the non-hierarchical and call-dependent right-click menu of Explorer is not at least partially displaying the generated icons with a hierarchical structure so as to show a relationship of network connections of the network devices in the home network.

Furthermore, if another CD would be inserted in a second CD drive, where the second CD contains audio and video data, Windows explorer would only be capable of again displaying the data files stored on the second CD as subfiles of the corresponding second CD

drive. Since no services, but only devices are displayed in a hierarchical structure, no logic sorting of the available services is allowed by this system.

In contrast, according to the claimed invention, all network devices and corresponding services are displayed in a hierarchical structure so that all audio files and all video files are not only able to be displayed in a hierarchical structure, but can also be abstracted so that one icon or folder, respectively, referring to the available audio files within the home network, can contain all audio files of all available network devices. In this example, the audio files of both the first and the second CD could thus be displayed within one folder. In addition, the video files icon includes all video files of the home network so that all video files of the first and of the second CD could be brought together into one logical folder. This advantageous feature cannot be found anywhere in Windows or in any of the cited screenshots.

In addition, in an additional non-limiting example shown in Figs. 1 and 2 there is illustrated a hierarchical structure of the services corresponding to a digital audio broadcast receiver, where the services are displayed in a hierarchical structure. Under an audio stream folder, English radio programs are listed as subfolders or objects, respectively (see Fig. 2). Such a display of an actual service (or object of Fig. 2), in particular in a hierarchical structure is neither taught nor suggested by Windows.

Accordingly, Windows does not describe or suggest the features recited in Claims 48, 55, 62 and 63 and thus, Claims 48, 55, 62 and 63, and claims depending therefrom, patentably distinguish over Windows.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 48-69 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

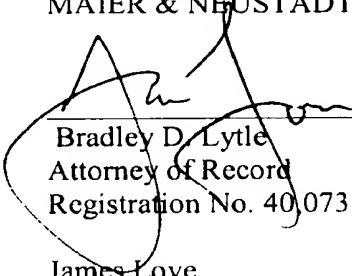
Respectfully submitted,

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